Integrity Matters

Ontario

providing information on regulatory matters to the general public and Ontario Racing Commission clients — *Summer 2003*

New fees approved to support ORC

To provide the Ontario Racing Commission with the means to properly carry out its mandate, the Governing Board of the ORC has approved an increase in fees for individual licences and set new fees for racetrack licences. The Strategic Plan of the Ontario Racing Commission has identified new information technology initiatives, such as electronic licensing and an ORC web site, enhanced training and accreditation programs to be developed in Ontario and overall better enforcement of ORC regulations.

The new fees for participants will come into effect on August 1st, 2003.

Impact on non-residents

See *Page 4*

Commission licence fees have not increased in several years and the current adjustment brings the ORC rates in line with other jurisdictions. The ORC is also ending its policy of not charging fees for reciprocal licenses. From August 1st on, licence applications from other jurisdictions will be charged the same rates as Ontario residents. Ontario will continue to honour agreements with other jurisdictions that do not charge Ontario licensees.

Racetracks will also be charged new fees to cover the cost of licensing. The Commission will now be requiring a licensing fee from racetracks for the renewal of their Licence to Operate a Racetrack. The fee will be calculated annually based on the particulars of each application, including number of teletheatres and number of race dates being applied for. As well, racetracks will have to pay a fee for amending race dates, although the Commission will not be charging where the change is required due to an act of God.

Through consultation and with the support of the industry as represented by the Ontario Horse Racing Industry Association, a Regulatory Levy will be remitted by the racetrack associations on a monthly basis, paid 50% from track purse funds and 50% from track funds, calculated based on purses paid.

The injection of funds from the slot machine at racetracks program and reduction in the pari-mutuel tax have given the industry the opportunity to expand and develop. Managing this growth in a responsible and prudent way has been a challenge for the entire industry. The new regulatory funding structure will provide the Commission with the resources necessary to carry out its legislated mandate to ensure that the industry operates with honesty, integrity and in the public interest.

Discussion Paper released

ORC seeks industry input on proposed rule changes

The horse racing industry in Ontario has experienced significant growth since the mid-1990s which is directly attributable to a number of government initiatives, specifically the pari-mutuel tax cut and the introduction of slot machines at racetracks. While the growth has been beneficial to industry participants in many ways, it has also brought certain issues to the forefront, especially those related to safety and accountability. In addition, the implementation of the Racing Commission Act, 2000 has placed greater emphasis upon accountability and the importance of honesty and integrity throughout the industry.

This period of growth has also increased the expectations of the public and the racing industry. With the additional revenues coming to the industry from the government-sponsored slots at racetracks program, it is essential that the industry meet the high standards of probity, honesty, integrity and accountability expected by the public and the industry in order to ensure its long-term viability.

Each year, the Ontario Racing Commission develops a Business Plan to map out its key strategies for the upcoming year. Among its key strategies for 2002/03, the Commission required racetracks to develop backstretch improvement plans. As well the Commission worked towards increasing safety in horseracing through human drug testing. These strategies are currently being monitored on an ongoing basis and enhancements to the programs will be made as required.

A key goal of the proposals outlined in this Discussion Paper is to build upon some of these previously identified strategies. Two of the proposals relate specifically to increasing safety through the enhancement of the physical condition of racetracks and to improving the human drug-testing program. The paper also proposes to increase accountability with respect to activities undertaken by Veterinarians.

The discussion paper is divided into three parts:

Part I
Veterinarians

- New Conflict of Interest provisions for veterinarians licensed under the Racing Commission Act, 2000
- New rules related to prescribing and administering drugs, substances and medications.
- Setting new standards for equipment and facilities used by Official veterinarians.

Part II
Safety of Horsepeople

- Enhanced and more flexible testing procedures to provide more immediate results and to address public perception and public interest issues with respect to the use of drugs and alcohol in horseracing
- Reorganization and clarification of existing rules related to drug and alcohol use to bring consistency and highlight the importance of safety in the horseracing industry.

Part III
Backstretch and track safety and security

- Identification of options to advance safety and security in the backstretch and on the track.

Discussion Paper – Part I
Veterinarians

Veterinarians play an essential role in the horseracing industry in Ontario. Proper veterinarian care is important for the development of the racehorse and the humane treatment of the horse is a key regulatory focus for the Commission. The services and advice provided to their clients by veterinarians are important, not only with respect to a particular horse in ensuring that it is racing sound, but also to maintaining public confidence in the horseracing industry. The ongoing success of horse racing is contingent upon continued public confidence, including the confidence of individuals in the public at large.

In most respects, Veterinarians are governed by their professional association. In recent years, however, specific issues related to horse racing have arisen, including conflict of interest situations. It is important that the regulatory structure in place within a specialized and regulated industry, such as horse racing, reflect the perceived needs and requirements of that industry.

The Commission is therefore proposing to implement specific rules related to the conduct of veterinarians. Equine practice has a number of unique characteristics, including those related to the overall regulation for horseracing and pari-mutuel wagering. These proposals are intended to complement the rules administered by the professional governing body and are focused on issues specifically related to the racing industry.

Conflict of Interest

Industry representatives have raised the issue of whether or not there is a conflict of interest for a veterinarian to treat a horse and, at the same time, be an owner or otherwise involved with another horse in a race. This situation does, in the Commission's view, give rise to a reasonable perception of a conflict of interest on the part of horse people, the wagering public and the general public.

The Commission has examined different options to address this issue. These options included (1) mandatory

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20 Dundas Street W.
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continued from Page 1

disclosure in the racing program that an owner is a veterinarian, and (2) a prohibition on entering or racing a horse that is owned or trained by a person who is a veterinarian licensed under the Act in a race in which another horse is being or has been treated by that veterinarian. While both of these options have some merit, they also have practical restrictions. For example, it would be difficult to know when entering a horse whether or not another horse is being or will be treated prior to race day by the relevant veterinarian.

The Commission is of the view that a third option is more appropriate, more easily administered and clearer. It is also consistent with the approach taken in other racing jurisdictions, such as New York, New Jersey and Florida.

The Commission proposes to amend the Rules of Racing by adding the following rule:

A veterinarian licensed under the Racing Commission Act, 2000 shall not train or own, in whole or in part, race horses [in the breed for which he or she provides veterinarian services] that are to be entered or raced in Ontario.

Drugs, Substances and Medications

The Commission recently enhanced the requirements on trainers with respect to maintaining records on drugs, substances and medications administered to horses that are racing. These changes, which came into effect on July 1, 2002, are intended to increase accountability on the part of trainers.

Additional rules with respect to the possession and use of drugs, substances and medications (based on the model rules of the Association of Racing Commissioners International) took effect on January 1, 2003. These rules are intended to improve accountability and to ensure compliance with the overall regulatory regimes that are in place for use of controlled substances and other drugs, substances and medications. The overall objectives of these rules have been to protect the horse from deliberate, inadvertent or accidental misuse of drugs, substances or medications, and to maintain and enhance public confidence in horse racing in Ontario.

The veterinarian plays a critical role in horse protection and in ensuring that drugs, substances and medications are properly used. Because of their broader professional responsibilities, veterinarians are essential to assuring the wagering public, the general public and horse people that horses are racing sound, are fit to race and that they are racing "clean".

Situations have arisen, however, where appropriate documentation has not been in place. Notwithstanding the requirements that exist under other regulatory regimes, adequate and appropriate information has not always been obtained and made available to horse people. This situation has exposed horse people and horses to risk. Given the specialized nature of equine practice and the broader regulatory structure that is in place, the Commission considers it appropriate to establish requirements within the Rules related to accountability for veterinarians licensed under the Racing Commission Act, 2000.

The Commission proposes putting in place the following rules to ensure that race horses are treated properly and that there is adequate documentation and accountability in place for that treatment:

X.01 A veterinarian shall:

a) determine from the trainer or owner what drugs, substances or medications are being administered to the horse before prescribing, dispensing or administering any drug, substance or medication and shall maintain that information in his or her records;

b) determine from the trainer or owner prior to prescribing, dispensing or administering any drug, substance or medication to a horse if the horse is or will be entered to race during the period of time in which any drug, substance or medication may affect the performance or condition of the horse or could result in the issuance of a certificate of positive analysis, if an official sample were tested for that drug, substance or medication, or metabolite or derivative of that drug, substance or medication;

c) advise the trainer or owner in writing:

(i) of the detection limit for any drug, substance or medication identified in the Schedule of Drugs, as amended from time to time, published by the Canadian Pari-Mutuel Agency and the circumstances which would or could alter that detection limit set out in the Schedule of Drugs, including those related to condition of the horse, dosage, method of administration, format in which it is administered, or other circumstances, including the administration of other drugs, substances or medications

(ii) if no detection limit is provided for in the Schedule of Drugs, an estimate of the detection limit based upon the veterinarian's professional opinion, after carrying out such research as is required for him or her to form a professional opinion, taking into account the condition of the horse, dosage, method of administration, format in which it is administered, or other circumstances, including the administration of other drugs, substances or medications

and shall maintain a copy of that written advice in his or her records;

d) advise the trainer or owner in writing of the potential or anticipated results of the administration of the drug, substance or medication on the horse and shall maintain a copy of that written advice in his or her records;

e) advise the trainer or owner in writing of any potential or anticipated side effects of the administration of the drug, substance or medication, including any that may result from interaction with any other drug, substance or medication that the veterinarian knows, ought to know or has reason to believe is being administered to the horse, and shall maintain a copy of that written advice in his or her records; and

f) inform the Director of Racing of any violations or apparent violations of the Rules of Standardbred Racing or the Rules of Thoroughbred Racing, including those related to the administration of drugs, substances or medication.

X.02 A veterinarian shall only examine or treat a horse, or prescribe or administer a drug, substance or medication if he or she is in compliance with the requirements of the College of Veterinarians of Ontario, including, but not limited to, Titles 9 (Equine Clinic) and 10 (Equine Mobile), as the case may be, of the Minimum Standards for Veterinary Facilities in Ontario, as amended from time to time.

These provisions are intended to complement those that are in place for veterinarians in general and, at the same time, maintain a level of accountability within the horse racing industry in Ontario. The Commission is also considering implementing rules which would require all veterinarians that treat race horses to be licensed by the Commission and restrict owners and trainers to using only ORC licensed veterinarians for the purpose of preparing a horse for racing.

Official Veterinarians

Official veterinarians are employed by the racetrack to carry out regulatory duties under the Rules of Racing as a Racing Official. The veterinarian's primary responsibility is to look out for the welfare of the horse. It is therefore essential that they have access to consistent and adequate facilities and equipment necessary to carry out his/her duties at racetracks. **The Commission is therefore proposing to institute the following new requirements for all racetracks as a term of their licence:**

Racetrack operators must provide facilities and veterinary equipment as required by the Director of Racing.

The veterinary equipment contemplated under this proposed new rule will include items such as Kimzey splints, a two-horse trailer with winch and screens, antibiotic dressing materials and bandages.

Licensees are reminded to carry a valid and current ORC licence at all times in the stable area.

Discussion Paper – Part 2
Safety of Horsepeople

An important public policy issue in horse racing is safety. The issue of safety both on and off the track is addressed in a number of rules. These rules, though, have tended to be responsive to specific safety concerns that arise from time to time. Safety is, or ought to be, an ongoing and long-term goal. In order to place a greater emphasis on safety, the Commission is proposing to restructure the rules so that safety issues are dealt with collectively. This reorganization of the Rules of Racing, as well as the introduction of new measures to enhance and improve safety, is intended to highlight the issue and to clarify some of the existing rules.

The Rules of Racing in Ontario and in many other jurisdictions have long recognized that impaired abilities pose a risk to safety both on the track and in the backstretch. The ability of racing commissions to deal with the problems of alcohol and/or drug impairment has been limited by technology. Recent advances in technology related to drug testing have provided new opportunities to deal with individuals who, through the use of drugs, have impaired abilities that create risks. It is anticipated that new research will provide even more options for testing for drugs and the use of drugs.

In the Commission's view, it is important to advance safety on the track and in the backstretch through enhanced drug and alcohol testing. Testing reduces the risk of a participant being impaired while carrying out his or her duties - duties that inevitably involve horses and participants in tense and dynamic situations.

The following approach is being considered by the Commission for a drug and alcohol-testing regime. This regime provides for:

- greater flexibility in the type of testing that would be used,
- the establishment of standards for testing,
- development of appropriate detection limits for the substances outlined in proposed rule X.02 and X.03, and
- a graduated penalty structure.

As with the existing rules, one of the objectives is to focus on treatment and rehabilitation. In the Commission's view, a graduated penalty structure will provide incentives for individuals to address whatever underlying issues may exist for them. If the opportunities that are provided to individuals do not result in improvement, the Commission believes that the ultimate sanction of removal from the horse racing industry is necessary to protect the other

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A program sponsored by the Drug and Alcohol Registry of Treatment (DART) and funded by the Ontario Substance Abuse Bureau of the Ministry of Health

participants and to minimize risks to all. Draft wording for the revised rule with respect to drug and alcohol testing is set out below:

Alcohol and Drug Testing Program

X.01 The following standards are set for alcohol using a breath analysis device approved by the Director of Racing:

a) for a driver or rider, a reading of .03 per cent or more

b) for a participant other than a driver or rider, a reading of .05 per cent of more.

X.02 The ORC proposes to set standards for the following substances that are controlled substances under the Controlled Drugs and Substances Act (Canada) using a test approved by the Director of Racing that tests urine samples. The following standards are set:

a) THC (marijuana)
b) cocaine
c) opiates
d) amphetamines
e) phencyclidine

N.B. The ORC is seeking comment on appropriate standards.

X.03 The ORC proposes to set standards for the following substances that are controlled substances under the Controlled Drugs and Substances Act (Canada) using a test approved by the Director of Racing that tests oral fluid samples. The following standards are set:

a) THC (marijuana)
b) cocaine
c) opiates
d) amphetamines
e) phencyclidine

N.B. The ORC is seeking comment on appropriate standards.

X.04 The Director of Racing shall establish a protocol for the collection of samples from participants and for the testing of those samples for controlled substances. Participants shall comply with the protocol.

X.05 The Director of Racing may approve one or more tests where he or she is satisfied that:

a) the testing methodology used is appropriate to determine whether or not the sample will result in a positive test;

b) the laboratory that is responsible for the testing is accredited by the Standards Council of Canada, Department of Health and Human Services (United States) or similar accreditation entity for testing of human samples for alcohol or controlled substances, and

c) appropriate measures are in place to ensure continuity of the sample from the time that it is collected to and until it is disposed of by the laboratory that conducts the testing.

X.06 "Positive test" means:

a) the results of the analysis of a breath sample from a participant, using an approved breath analysis device, which exceed the standard set for alcohol,

b) the results of the testing of a sample from a participant that is tested, using one or more approved tests, which exceed the standard set for the controlled substance.

X.07 If there is a positive test for alcohol of a licensed participant's breath sample:

a) if the participant is a driver programmed to drive or jockey programmed to ride, he or she shall be;

(i) suspended from driving or riding for that day and shall pay a fine of $500 for a first offence,

(ii) shall be suspended from driving or riding for that day and for a period of 15 days thereafter and pay a fine of $1,000 for a second offence within 12 months of the first offence, and

(iii) shall be suspended and the matter referred to a panel of the Commission for any subsequent offences within 12 months of the first offence. The panel may impose a suspension, a fine or conditions to the licence, including a condition related to treatment for alcohol abuse;

b) if the participant is not a driver programmed to drive or jockey programmed to ride, he or she shall be suspended for that day and the Director of Racing may impose a further period of suspension and a fine or condition to the licence including a condition related to treatment for alcohol abuse;

c) if the participant is a judge, steward or racing official, he or she shall be suspended for the day and the matter referred to the Commission. The Commission may impose a suspension, fine or conditions to the licence, including a condition related to treatment for alcohol abuse.

X.08 If there is a positive test for a controlled substance of a licensed participant's sample:

a) if the positive test is the first in a 24-month period, he or she shall be suspended immediately for a minimum of 15 days and fined $500. The suspension shall thereafter remain in effect until he or she satisfies the Director of Racing at the participant's expense that the participant's sample will not result in a positive test;

b) if the positive test is the second in a 24-month period, he or she shall be suspended for a minimum of 90 days and fined $1,000. The suspension shall thereafter remain in effect until he or she has satisfied the Director of Racing at the participant's expense that the participant's sample will not result in a positive test.

c) if the positive test is the third or subsequent offence in a 24-month period, he or she shall be suspended immediately and shall be required to appear before a panel of the Commission. The panel of the Commission may impose a further suspension, a fine or conditions to the licence, including conditions related to treatment for substance abuse.

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From January 1 to June 21st, sixty-four horses have been registered with the Ontario Racing Commission. Thirty-nine horses were sent for post-mortem whereas 25 horse were excused as not meeting the requirements of 14 days or for extenuating circumstances such as barn fire.

Postmortem results and the investigation reports are reviewed by the Director of Racing to determine if further action is required.

Hotline available to report abuse

Industry participants are encouraged to make the Commission aware of specific instances of neglect or abuse by using the ORC's Integrity Hotline at:

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20 Dundas Street West, 9th Floor
Toronto, Ontario M5G 2C2

Head office is located in the Atrium Building, just north of the Eaton Centre on the north-west corner of Yonge and Dundas.

(416) 327-0520
(416) 325-3478 FAX

orcinquiry@clbi.gov.on.ca

L'information dans ce document est disponible en français.

Wendy Hoogeveen
Editor

Stanley Sadinsky, Q.C. ..... *Chair*
Larry Todd ..... *Vice Chair*
Bernard Bowman, D.V.M. ..... *Member*
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20 Dundas Street West, 9th Floor
Toronto, Ontario M5G 2C2

Head office is located in the Atrium Building, just north of the Eaton Centre on the north west corner of Yonge and Dundas.

(416) 327-6520
(416) 326-3474 FAX

integrity@ors.gov.on.ca

Information dates or documents are also online en français.

Wendy Hoogeveen
Editor

Stanley Sadinsky, Q.C. — *Chair*
Larry Todd — *Vice Chair*
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Bruce Duncan, D.V.M. — *Supervisor, Standardbred Commission Veterinarians*
Don Bourgeois — *Senior Legal Counsel*

Discussion Paper – Increasing accountability and enhancing safety in the Ontario Racing Industry

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X.09 The Director of Racing may, notwithstanding any provision in these Rules, refer any participant whose sample results in a positive test for alcohol or a controlled substance to a panel of the Commission if, in the opinion of the Director of Racing, it is in the best interests of racing to do so, and the panel may impose a suspension, fine or conditions to the licence, including conditions related to treatment for alcohol abuse or substance abuse.

With these new rules, it is the Commission's intention to significantly increase the number of human drug tests at racetracks and to explore new technology which will provide immediate results of any positive human drug test.

Discussion Paper – Part 3

Backstretch and Track Safety and Security

Industry representatives have raised concerns with respect to safety and security on the track and in the backstretch. The Commission has been concerned with these issues and, on a case-by-case basis, the Administration has taken action in response to specific issues identified by horse people, their representatives or by the Judges and Stewards. For the most part, these responses have been fact-specific and have involved the required implementation of tailor made plans for each separate case (for example plans for new lights, tracks surfaces, etc.)

The Commission has also been advancing the agenda of health and safety in the backstretch by requiring, as a condition of licence, that racetracks submit and implement:

1. Backstretch Improvement Plans
2. Fire Safety Plans
3. Track Security Plans

In addition racetrack operators are required to submit, on an annual basis, the following:

- Annual Business Plans and financial statements
- Performance Benchmarks, information which assists the Commission in gauging the success of the slots program on racing operations

Issues of track and backstretch safety can be very complex. It is important for enforcement purposes that any established "standards" be as objective as possible. For example, a rule that requires that the level of dust in the air at a race track not interfere with the health of horses and horse people would be difficult to enforce. Equally, it would be difficult for the race track operator to know not only what level of dust is acceptable but also how to ensure that the level is not excessive. Furthermore, dust can be created by the very activity that is involved and can be exacerbated by environmental factors that are not readily within the control of the operator, i.e., humidity and wind.

Whenever practical to do so, the Commission can and will impose specific standards that licensees must meet. In other circumstances where one set of standards is difficult to establish, the Commission has required racetracks to submit plans, as the ones listed above, which must meet certain stated objectives. The Commission is therefore proposing the following strategy to further improve the health and safety of horses and horse people in the backstretch.

Racetrack Maintenance and Condition

The condition of track surfaces has been a source of concern and complaints at several racetracks across Ontario. The lack of industry standards for track construction and day-to-day maintenance has hampered an effective resolution to these concerns. It may be extremely difficult, if not impossible, to develop one set of industry standards for track surface conditions that will make sense for each racetrack across the province.

Through consultation with the industry, the Commission proposes to implement four new requirements:

1. **Accreditation of track maintenance personnel**

The Director may require under subsection 20(2) of the Racing Commission Act, 2000 that individuals who are responsible for track maintenance pass examinations or attain standards prescribed by the rules, prior to receiving a licence. An accreditation program will obviously take time to develop and will require considerable industry participation. The objective would be to develop an accreditation course for key track maintenance personnel and require such people to be accredited as a pre-condition to ORC licensing.

2. **Minimum track equipment requirements**

Again through consultation with the industry, the Commission is proposing to establish minimum equipment requirements for racetracks based on generally acceptable standards. For example, the Commission may find that all 5/8th mile tracks require a minimum of two functional water trucks. These minimum requirements may be imposed as terms to the racetrack's licence.

3. **Track maintenance plans**

Under this proposal, racetracks would be required to prepare written track maintenance plans and have them reviewed and certified by an independent racetrack construction expert as meeting generally accepted standards.

4. **Annual track inspections**

Similar to the track maintenance plans, racetrack operators would be required to have their track reviewed by an independent racetrack construction expert on a regular schedule. Racetracks which race more than 50 days per year would be subject to two annual inspections while those that race less than 50 days would require only one inspection per year. Any deficiencies reported would be required to be addressed. Without limiting the general nature of the review by the expert, and taking into account variables such as the time of year and the amount of racing conducted, the review should address characteristics of the racing surface and basic construction such as:

- condition and amount of the surface material
- appropriateness of the cushion
- slopes or grade of the track

As with the review of the track maintenance plan, the rules or regulations will have to define "independent track construction expert". There is still considerable work that needs to be done to define exactly what this expert will be required to assess and on what standard. Through consultation, the Commission hopes to develop a checklist that is acceptable to all segments of the industry.

Backstretch Management

Backstretch Improvement Plans are currently submitted to the Commission as part of a racetrack's annual submission for racedates. These plans were primarily designed to address health and safety issues as they related to horsepeople and horses on the backstretch and to improve physical aspects of the backstretch (barns, fences, roads, etc.). Building on this initiative, the Commission is proposing to institute Backstretch Management Plans which would also be submitted as part of the annual licensing and race date allocation processes. The two sets of plans would be developed by the track operator in consultation with the horsepeople racing at that racetrack. Compliance with the Plans could be made a term of the licence. These plans would be sensitive to the specific needs of the racetrack and to the financial ability of the operator to develop and implement the plans. Over time, the plans could form the basis for a consensus on what minimum standards ought to exist at all tracks.

At a minimum Backstretch Management Plans would have to address how the racetrack plans to deal with:

- proper storage of all equipment in a safe manner,
- removal of manure, trash from the backstretch,
- grounds maintenance,
- fencing around ditches and dangerous areas,
- warning systems to alert riders/drivers of a loose horse,
- cleaning schedules of barns or receiving stalls,
- the implementation of an effective animal and rodent control plan,
- the elimination of standing water to minimize mosquito reproduction, and
- plans to minimize dust.

The objective of these plans, is to improve overall working and living conditions in the backstretch. The plans should be prepared in consultation with the representative horsepeople.

As part of this initiative, the Commission will also be looking at implementing standards for facilities provided by racetracks for the use of racing officials including licensing office and testing facilities and Judges'/Stewards stands.

There are, no doubt, other options that could be available to improve backstretch and track safety and security. Hopefully, the above proposals will initiate a dialogue which will move us closer to clearer expectations and higher standards of safety for people and horses.

General Director's No. 3/2003

Thoroughbred Fee Schedule

Effective August 1, 2003, individual licence fees charged by the Ontario Racing Commission for participation in Thoroughbred horse racing in the Province of Ontario are as follows:

Category	Fee
Owner	$75
Trainer	75
Assistant Trainer	50
Jockey	100
Apprentice Jockey	50
Jockey Agent	75
Jockey Valet	35
Groom	15
Exercise Person	15
Hot Walker	25
Veterinarian	100
Appt of Authorized Agent	50
Authorized Agent	75
Tradesperson	35
Other	15
Pari-Mutuel	25
Partnership	50
Stable	150
Lasso	50
Colours	50
Lifetime Colours	150
Association Official	no charge
Commission Official	no charge
NSF Administrative Charges	35
Duplicate	10

General Directive No. 4/2003

Standardbred Fee Schedule

Effective August 1, 2003, individual licence fees charged by the Ontario Racing Commission for participation in Standardbred horse racing in the Province of Ontario are as follows:

Category	Fee
Owner	$75
Trainer	75
Driver	75
Groom	15
Veterinarian	100
Authorized Agent	75
Tradesperson	35
Occupational	15
Other	15
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Association Official	no charge
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Except where an agreement is in place with another jurisdiction to honour each other's licences at no extra cost, an applicant from outside the Province applying for an Ontario licence will be required to pay the appropriate fees, effective August 1, 2003.

BY ORDER OF THE COMMISSION

Jean Major
Executive Director

June 10, 2003

Discussion Paper – Increasing accountability and enhancing safety in the Ontario Racing Industry

continued from Page 3

X.09 The Director of Racing may, notwithstanding any provision in these Rules, refer any participant whose sample results in a positive test for alcohol or a controlled substance to a panel of the Commission if, in the opinion of the Director of Racing, it is in the best interests of racing to do so, and the panel may impose a suspension, fine or conditions to the licence, including conditions related to treatment for alcohol abuse or substance abuse.

With these new rules, it is the Commission's intention to significantly increase the number of human drug tests at racetracks and to explore new technologies which will provide immediate results of any positive human drug test.

Discussion Paper – Part 3

Backstretch and Track Safety and Security

Industry representatives have raised concerns with respect to safety and security on the track and in the backstretch. The Commission has been concerned with these issues and, on a case-by-case basis, the Administration has taken action in response to specific issues identified by horse people, their representatives or by the Judges and Stewards. For the most part, these responses have been fact-specific and have involved the required implementation of tailor made plans for each separate case (for example plans for new lights, tracks surfaces, etc.).

The Commission has also been advancing the agenda of health and safety in the backstretch by requiring, as a condition of licence, that racetracks submit and implement:

1. Backstretch Improvement Plans
2. Fire Safety Plans
3. Track Security Plans

In addition racetrack operators are required to submit, on an annual basis, the following:

- Annual business Plans and financial statements
- Performance Benchmarks information which assists the Commission in gauging the success of the slots program on racing operations.

Issues of track and backstretch safety can be very complex. It is important for enforcement purposes that any established standards be as objective as possible. For example, a rule that requires that the level of dust in the air at a race track not interfere with the health of horses and horse people would be difficult to enforce. Equally, it would be difficult for the race track operator to know not only what level of dust is acceptable but also how to ensure that the level is not excessive. Furthermore, dust can be created by the very activity that is intended and can be exacerbated by environmental factors that are not readily within the control of the operator, i.e. humidity and wind.

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Authorized Agent	75
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Other	15
Pari-Mutuel	25
Partnership	50
Stable	150
Lease	50
Colours	50
Lifetime Colours	150
Association Official	no charge
Commission Official	no charge
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General Directive No. 4/2003

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Jean Major
Executive Director

June 10, 2003